

In re Application of ANDREW et al.
Serial No. 09/870,411

REMARKS

The Office action has been carefully considered. The Office action rejected claims 1-24 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-58 of Brundrett et al., U.S. Patent No. 6,249,866, in view of Kaplan et al., U.S. Patent No. 6,704,871. The Office action also rejected claim 1 under the second paragraph of 35 U.S.C. § 112 for insufficient antecedent basis of the claim limitation "the installable software component." Finally, the Office action indicated that a terminal disclaimer may be timely filed to overcome the non-statutory double patenting rejection. Applicants file herewith a terminal disclaimer to overcome the non-statutory double patenting rejections.

By present amendment, claim 1 has been amended to more particularly point out and distinctly claim the subject matter of the invention. Thus claim 1 has been amended for clarification and not in view of the prior art. Applicants submit that the claims as filed were patentable over the prior art of record, and that the amendments herein are for purposes of clarifying the claims and/or for expediting allowance of the claims and not for reasons related to patentability. Reconsideration is respectfully requested.

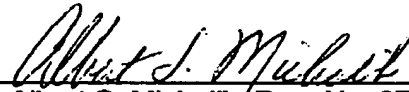
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CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-24 are patentable over the prior art of record, and that the application is in good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



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